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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

KERRY MACNAMARA

Plaintiff,

v.

SALT LAKE COMMUNITY
COLLEGE

Defendant.

NOTICE OF REMOVAL

Case No. 2:20-cv-00076-HCN

Judge Howard C. Nielson, Jr.

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1331, 1441(a), and 1446, Defendant Salt Lake Community College (“SLCC”) removes the above-titled action from the Third Judicial District Court, in and for Salt Lake County, State of Utah, to this Court. These are the grounds for removal:

1. On January 20, 2020, Plaintiff, Kerry MacNamara (“Plaintiff”), filed a Complaint in the Third Judicial District Court, in and for Salt Lake County, State of

Utah, Case No. 200900240. A copy of the Complaint is attached hereto and incorporated herein by reference as Exhibit A.

2. The Complaint alleges that Defendant SLCC subjected the Plaintiff to unlawful discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 200e et seq., as amended. (Ex. A ¶¶ 40-49).

3. The Complaint further alleges that that Defendant SLCC subjected the Plaintiff to unlawful retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 200e et seq., as amended. (Ex. A ¶¶ 40-49).

4. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over this action based on the Title VII claims made by Plaintiff and, therefore, this action may be removed from the Third Judicial District Court of Utah to this Court pursuant to 28 U.S.C. § 1441(a).

5. While Plaintiff has not, as of the date of this filing, served a copy of the Complaint on Defendants, a copy of the Complaint was provided to the Defendant on January 14, 2020.

6. Therefore, removal of this action is timely because Defendants were in receipt, “through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based” on January 14,

2020, which is less than thirty (30) days prior to the filing of this Notice of Removal.
28 U.S.C. § 1446(b)(1).

7. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all process, pleadings, and orders that have been served on or received by the Defendant are attached hereto.

WHEREFORE, Defendant submits this Notice that the above-titled matter is hereby removed from the Third Judicial District Court, in and for Iron County, State of Utah, to this Court in accordance with the provisions of 28 U.S.C. § 1446.

DATED: February 6, 2020.

SEAN D. REYES
Utah Attorney General

/s/ Joseph T. Adams
JOSEPH T. ADAMS
Assistant Utah Attorney General
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2020, I electronically filed the foregoing, *Notice of Removal*, using the Court's electronic filing system. I also certify that a true and correct copy of the foregoing was served via email upon the following:

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